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From: Carlton H. Hoel  
Texas Instruments Incorporated  
Facsimile: 972-917-4418  
Phone: 972-917-4365

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jacek Stachurski  
Serial No: 09/668,846  
Filed: 9/22/2000  
Art Unit: 2654  
Examiner: M. Lerner  
Docket No.: TI-29491  
Conf. No.: 2446  
Customer No.: 23494

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<input type="checkbox"/> <b>ASSIGNMENT</b>	<input checked="" type="checkbox"/> <b>APPEAL</b> <u>COR. BRIEF (5 Pages)</u>
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<input type="checkbox"/> <b>INFORMAL DRAWINGS</b>	<input type="checkbox"/> <b>REPLY BRIEF (IN TRIPLICATE)</b>
<input type="checkbox"/> <b>CONTINUATION APP'N</b>	
<input type="checkbox"/> <b>DIVISIONAL APP'N</b>	
<b>NAME OF INVENTOR(S):</b> Jacek Stachurski	
<b>TITLE OF INVENTION:</b> Hybrid Speech Coding and System	
<b>TI FILE NO.:</b> <b>TI-29491</b>	<b>DEPOSIT ACCT. NO.:</b> <b>20-0668</b>
<b>FAXED: 08/18/2005</b> <b>DUE: 08/18/2005</b> <b>ATTY/SECY: CHH/gs</b>	
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Texas Instruments Incorporated  
PO Box 655474, M/S 3999  
Dallas, TX 75265

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl.No.: 09/668,846  
Appellant: Stachurski et al  
Filed: September 22, 2000  
TC/AU: 2654  
Examiner: Lerner

Confirmation No.: 2446

Docket: TI-29491  
Cust.No.: 23494

APPELLANTS' CORRECTED BRIEF

Commissioner for Patents  
P.O.Box 1450  
Alexandria VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed 07/18/2005, appellants submit the attached sheets containing the Rule 41.37 items of appellants' corrected brief. The Commissioner is hereby authorized to charge any necessary fees to the deposit account of Texas Instruments Incorporated, account No. 20-0668.

Respectfully submitted,



Carlton H. Hoel  
Reg. No. 29,934  
Texas Instruments Incorporated  
PO Box 655474, M/S 3999  
Dallas, Texas 75265  
972.917.4365

**Rule 41.37(c)(1)(i) Real party of interest**

Texas Instruments Incorporated owns the application.

**Rule 41.37(c)(1)(ii) Related appeals and interferences**

There are no related dispositive appeals or interferences.

**Rule 41.37(c)(1)(iii) Status of claims**

Claims 1-6 are pending in the application with claims 2 and 4 objected to and claims 1, 3, and 5-6 finally rejected. This appeal involves the finally rejected claims.

**Rule 41.37(c)(1)(iv) Status of amendments**

There is no amendment after final rejection.

**Rule 41.37(c)(1)(v) Summary of claimed subject matter**

The invention provides digital speech encoders and decoders in which speech frames are classified as strongly-voiced (SV\_MODE), weakly-voiced (WV\_MODE), or unvoiced (UV\_MODE), and the encoders/decoders are hybrids of parametric coding for the strongly-voiced frames and waveform coding for both the weakly-voiced and unvoiced frames but with pitch prediction for the weakly-voiced frames. Application page 12, last paragraph through page 17, middle paragraph describe the classification of frames. The parametric coding (MELP) is for strongly-voiced frames and waveform coding (CELP) is for weakly-voiced frames using pitch prediction together with a sparse codebook and CELP also is for unvoiced frames but using only a stochastic codebook.

Fig. 1a and application page 5, second paragraph through page 7, first paragraph describe the encoder (independent claim 1).

Figs. 1b-1d and application page 7, second and third paragraphs describe the decoder (independent claim 3).

**Rule 41.37(c)(1)(vi) Grounds of rejection to be reviewed on appeal**

The single ground of rejection to be reviewed on appeal is:

Claims 1, 3, and 5-6 were rejected as unpatentable over the Gersho reference in view of the lyengar reference.

**Rule 41.37(c)(1)(vii) Arguments**

Claims 1, 3, and 5-6 were rejected as unpatentable over Gersho in view of lyengar.

**(1) Claim 1 (independent)**

With regard to claim 1 (encoder), the Examiner pointed to Gersho Fig.4A for classification of speech frames into three classes (harmonic, unvoiced, and transition) for encoding; and the Examiner asserted that Gersho's transition encoder (column 14, lines 16-20 and Fig.4D) suggests a pitch-prediction filter for the weakly-voiced encoding with pitch-prediction required by clause (d) of claim 1. lyengar was cited for pitch-prediction filtering with waveform encoding.

Appellants reply that Gersho does not suggest the pitch-prediction filter in weakly-voiced frame encoding as required by claim 1. In particular, the pertinent part of Gersho is the paragraph at column 26, lines 16-37 which describes the transition coder referred to in cited column 14, lines 16-20. Initially, column 26, lines 20-29 state that Gersho's transition encoder uses multipulse coding on the speech signal, and lines 29-31 state that a long-term (i.e., pitch-prediction) filter is not used because pitch-prediction is less important for transition frames. But then lines 31-37 note when prediction gain is high, then maybe a switchable adaptive codebook could be used to help misclassified frames and provide class overlap. In contrast, claim 1 requires all weakly-voiced frames have a pitch prediction filter.

Lastly, lyengar only classifies frames as voiced or unvoiced (see Fig.1 detector 20) and thus is not relevant for a three-class coder such as Gersho and claim 1. Consequently, the references do not suggest claim 1.

**(2) Claim 3 (independent)**

With regard to claim 3, appellants note that claim 3 is the decoder analog of encoder claim 1 and that the rejection of claim 3 is the decoder analog of the rejection of claim 1. Consequently, for claim 3 appellants reply with the decoder analog of the foregoing argument regarding encoder claim 1.

**(3) Claim 5 (dependent from claim 1)**

With regard to dependent claim 5, appellants rely upon the patentability of parent claim 1.

**(4) Claim 6 (dependent from claim 3)**

With regard to dependent claim 6, appellants rely upon the patentability of parent claim 3.

Rule 41.37(c)(1)(viii) Claims appendix

1. A hybrid speech encoder, comprising:

- (a) a linear prediction, pitch, and voicing analyzer;
- (b) a parametric encoder coupled to said analyzer; and
- (c) a waveform encoder coupled to said analyzer;
- (d) wherein said parametric encoder encodes strongly-voiced frames and said waveform encoder encodes both unvoiced and weakly-voiced frames including a pitch-prediction filter for weakly-voiced frames.

3. A hybrid speech decoder, comprising:

- (a) a linear prediction synthesizer;
- (b) a parametric decoder coupled to said synthesizer; and
- (c) a waveform decoder coupled to said synthesizer;
- (d) wherein said parametric decoder decodes excitations for strongly-voiced frames and said waveform decoder decodes excitations for both unvoiced and weakly-voiced frames including a pitch predictor for weakly-voiced frames.

5. The encoder of claim 1, wherein:

- (a) said analyzer, said parametric encoder, and said waveform encoder are implemented as programs on a programmable processor[.]

6. The decoder of claim 3, wherein:

- (a) said synthesizer, said parametric decoder, and said waveform decoder are implemented as programs on a programmable processor[.]

Rule 41.37(c)(1)(ix) Evidence appendix

n/a

Rule 41.37(c)(1)(x) Related proceedings appendix

n/a